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THE COMPOSITION OF JUDGES, CHAPS. 20, 21

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In our investigation of the composition of Judg., chap. 19¹ we saw that the literary question was inextricably interwoven with the historical question. The story in chap. 19, aside from a few minor touches, of which the only really important one is the cutting of the body of the concubine into twelve pieces and sending them into every one of the twelve tribes, makes the impression of antiquity and historical probability. But it is connected now with a story which Wellhausen has so conclusively shown to be legendary, that nobody can deny that in its present form the story is a late unhistorical Midrash. Further investigation, however, has convinced Moore, Budde, *et al.*, that there is an older nucleus in these chapters which still shines through. As to the process which resulted in our present narrative they are not agreed. Moore believes "that an author of the age and school of the Chronicler substituted for the middle of the original story a Midrash of his own." Budde has come to the conclusion that two pre-exilic sources were combined by a redactor with a late post-exilic Midrash, which had originally existed separately. Budde has won the assent of Nowack altogether, and for his main contention also that of Kittel and Steuernagel.

¹ *AJSL*, January, 1914, pp. 81-93.

The crucial section for the analysis is the description of the battle in vss. 29–48. According to Moore the older story consists of vss. 29, 36*b*, 37*a*, 38–41, 44*a*, 47; the later of vss. 30–36*a*, 42, 43, 44*b*–46, 48; while vss. 31*aβ*, part of 31*b*, 37*b* are glosses. According to Budde the older source consists of a compilation of three sources. To A belong vss. 29, 33 (?), 34, 36*b*–38, 40–42*a*, 44*a*; to B vss. 31*aβb*, 32; to C vss. 30, 31*aa*, 35, 36*a*, 47, 48; to the Redactor, vss. 39, 42*b*, 43, 44*b*–46. According to Kittel, to A (Kittel's N), vss. 29, 31*aβbβ*, 32, 34, 35*aa*, 36*a*, 47, 48; to B (Kittel's N¹), vs. 33 (or R); to C (Kittel's M), vss. 30, 31*aaba*, 36*b*, 37, 38, 40–42*a*, 44–46; to R, 35*aβb*, 39, 42*b*, 43.

If critics starting with the same fundamental assumption reach such diverse results, is it any wonder that Cornill calls the problem of chaps. 19–21 “a still unsolved riddle”? The question is still open.

If we are to reach any result that will command general acceptance we must try to discover, if possible, criteria which really work. Are there any really cogent reasons why we should regard the story as a compilation of two or three sources? What is there, if anything, that prevents us from recognizing in it a late unhistorical Midrash throughout? Are there any criteria in the text which point definitely one way or the other? We must begin by examining vss. 29 ff. in detail.

Moore argues with considerable force that there are two accounts of the battle in these verses. Vss. 36*b*–44 “contain not the sequel to the description of the battle in v. 31–36*a*, but a complete parallel to it. As far as v. 42*a* this narrative appears to be intact and bears every mark of being derived from a much older and better source than v. 31–36*a*.”¹ But in his edition of the Hebrew text Moore communicates a suggestion by Torrey which has an important bearing on the analysis. “Torrey conjectures with much probability that these verses [35, 36*a*], which are manifestly premature before vv. 36*b* ff. (cf. Ziegler), and which Wellhausen and others regard as a late addition, originally stood after v. 41, and were accidentally misplaced by a scribe whose eye, in copying, strayed from נגעה כי עליהם הרעה, at the end of v. 34, to the similar נגעה עליו כי הרעה at the end of v. 41. V. 42 connects very well with v. 36*a*.”²

¹ *Commentary*, pp. 438 f.

² *SBOT*, p. 70.

This conjecture appears to me undoubtedly correct. Moore does not think that the analysis of the passage is affected by it. But it will soon appear that it is, for after it has been removed to its original place, it can be shown that the description of the battle in vss. 29-41 is a unity and does not require the hypothesis of a compilation of two sources.

Everything depends on a correct understanding of the relation of the various verses to each other. In vs. 31 we must read, with Ehrlich, **וַיִּנְתְּקוּ** for **הִנְתְּקוּ**, not only because of the unusual asyndetic construction, but also because of the unparalleled use of the hoph'al of **נָתַק**. As soon as this exceedingly slight emendation is made, there is no reason whatever for regarding the sentence, *and they were drawn away from the city*, either as a gloss (Bertheau, Moore) or as belonging to another source (Budde, Nowack, Kittel). In the phrase *on the highways, one of which goes up to Bethel and the other to Gibeah*, the last word was most probably either *Gebah* or *Gibeon*. The location of the scene is north of Gibeah. Moore regards the whole clause as a fragment of the other gloss. Budde and Nowack connect it directly with the sentence, *they were drawn away from the city*, but that would necessitate **אֶל-הַמִּסְלֹחַ** for **בַּמִּסְלֹחַ**; cf. vs. 32. But is either proposal really necessary? The text reads, with the slight proposed emendation, *And the Benjamites sallied forth to meet the people, and they were drawn away from the city, and began to slay some of the people as on the former occasions on the highways (one of which goes up to Bethel and the other to Gebah), in the open field, about thirty men of Israel*. The sentence is perfectly clear and consistent. The mention of the drawing away from the city and also of the highways is necessary at this point, because vs. 32 explains that this was the plan of the Israelites (cf. Budde). It is true, the relative clause which defines the location of the highways comes in somewhat awkwardly between *on the highways* and *in the open field*, which are evidently parallel expressions. But that does not prove that it is not original, especially since our author wants to tell us clearly that the location of the battlefield was to the north of Gibeah. We have no right to be extreme in our stylistic demands, especially if the matter is expressed clearly and consistently.

The Benjamites are already sure of victory. But now the author

explains that the flight of the Israelites was only a clever feint. They wanted to draw the Benjamites away from the city in order that it might be unprotected and thus at the mercy of the ambush. Vs. 33 proceeds to tell how they succeeded. *Now when all the Israelites¹ had risen from their place² and formed the battle-line at Baal Tamar,³ the ambush of Israel rushed forth⁴ from its position, west of Gibeah,⁵ and gained a position⁶ south⁷ of Gibeah,⁸ while the fight was severe and while they [the Benjamites] did not perceive that the disaster was imminent upon them.*

The author turns his attention from the main battle which he had briefly outlined in vss. 31, 32a to the operations of the ambush and describes somewhat in detail that the ambush had seized the opportunity, when the main army advanced against Gibeah and drew up in battle-line, and the attention of the Benjamites was directed exclusively upon the attacking force in the north, to emerge from its hiding-place west of Gibeah and to gain a favorable position south of Gibeah in order that they might at the given moment capture the city.⁹ This moment came, *and the men of Israel gave ground to Benjamin, relying on the ambush which they had set for Gibeah.* The author must repeat this here, because he is describing the operations of the ambush. *Then the ambush rushed quickly upon Gibeah and . . .¹⁰ put the whole city to the sword.*

Moore regards vs. 37b as a gloss, but the difference of singular and plural in the verbs is so common and so easily remedied that it cannot be taken seriously as an argument, and the phrase **יִיבִשֶׁךְ הָאֵרֶב** is not really a "repetition." It looks however as if the

¹ Note the circumstantial clause!

² Read **מִמְקוֹמָם**, with Budde, or omit **מִמְקוֹמָם**, with Moore and Ehrlich, as due to dittography. Or should we read **קָדְמוֹ** *had advanced* for **קָמוֹ** *rose*?

³ Its location is unfortunately unknown, but it lay either east or north of Gibeah.

⁴ Note the participle!

⁵ Read with the Versions **מִפְעֵרֶב לְגִבְעָה**.

⁶ Moore's admirable translation of **יִיבִשֶׁךְ**.

⁷ Read with 27 Hebrew MSS and Targum **מִנְּגַד** for **מִנְּנָב**. This appears to me preferable, though not absolutely necessary.

⁸ The phrase *ten thousand warriors picked from all Israel* is not original here, as will be shown later.

⁹ Vss. 35, 36a do not belong here as we saw above.

¹⁰ **יִימֶשֶׁךְ הָאֵרֶב** is probably corrupt; cf. Ehrlich.

doubtful **וימשך** were a variant reading of **וישפטו**. In that case **וימשך הארב** should be omitted as secondary. But not the whole sentence! For we need some such statement at exactly this point in the narrative. Budde feels this, though he objects to its form and regards it as a gloss, because to him everything in this connection depended on the signal and not on the extermination of the city. But the signal implied that "the whole city went up in flames heavenward" (vs. 40), i.e., it implied its extermination.

The narrative in vss. 38–39 is recognized by Moore as homogeneous, with the single exception of the phrase *as in the former battle* in vs. 39, which we may leave aside for our present purpose. He has shown that vs. 39a is part of the description of the agreement given in vs. 38 and has rightly emended **ויהפך** to **והפך**, *then the men of Israel should turn about in the battle*, i.e., "upon this signal the Israelites, who were retreating in feigned discomfiture, should turn upon their pursuers." **הפך** is used here in the same sense as in vs. 41.¹

Vs. 39b is clearly a repetition of a part of vs. 31. But it is not secondary; on the contrary it is quite essential and an intentional and effective recapitulation. The author throws it into a circumstantial clause, just as we should expect. He takes up the thread of the story which he had dropped in vs. 32, by this brief recapitulation. We would do exactly the same, adding perhaps *as we said*.

Now Benjamin had begun to slaughter among the men of Israel about thirty men: just when [notice the force of פִּי] they said we have surely beaten them [again] as in the first battle,² the fire-signal began to rise from the city, a column of smoke, marking their doom. The following presents no difficulty as far as vs. 41 inclusive.

The description of the battle begins with the attack of the main army and the feigned flight of the Israelites. Then it turns to the operations of the ambush, and shows how they gained a favorable position during the excitement of the formation of the battle-lines and the beginning of the battle, and how they rushed from this

¹ Budde, Nowack, and Kittel understand vs. 39a as saying, *and the men of Israel turned [to flee] in the battle*. But vs. 40 which gives "the description of the execution of this stratagem" (Moore) shows clearly what the meaning of **הפך** is. Why **ויהפך** should be "bedenklich" (Nowack) as the continuation of vs. 38 is difficult to see, since the construction in the indirect speech beginning with **למהפך** is grammatically quite regular.

² Note the slight variations for the sake of style.

vantage point upon the unprotected city as soon as the Benjamites had been drawn away from it by the feigned flight of the Israelites. After telling us of the prearranged signal which the ambush was to give the main army to inform it of the capture of the city by the ambush, the narrator turns again to the main battle and takes up the story at the point where he left it to describe the operations of the ambush, and describes in dramatic manner how the very moment of apparent triumph of Benjamin really marks its certain defeat.

If this understanding of vss. 29–42 is correct, there is no reason to assume a complication of two, much less of three, different sources. The narrative is a unity. This result is so important that a translation of these verses will test its validity.

29. And Israel put men in ambush against Gilead on all sides.¹ 30. And the Israelites marched against the Benjamites [*on the third day*]² and formed their lines against Gibeah as on the former occasions. 31. And the Benjamites sallied forth to meet the people and they were drawn from the city, and began to slay some of the people as on the former occasions on the highways (one of which goes up to Bethel, and another to Gebah), in the open field, about thirty men of Israel. 32. And the Benjamites said, They are put to flight before us as at the first time. But the Israelites had passed the word, "Let us flee and draw them away from the city to the highways." 33. Now when all the Israelites [i.e., the main body] had arisen from their place and formed the battle-line at Baal Tamar, then the ambush of Israel rushed forth from its position, west of Gibeah, 34. and gained a position south³ of Gibeah, while the fight was severe and they [the Benjamites] did not perceive that disaster was imminent upon them. 36b. And when the Israelites gave ground to Benjamin relying on the ambush which they had set for Gibeah, 37. then the ambush rushed quickly upon Gibeah and . . . smote the whole city with the edge of the sword. 38. Now it had been agreed upon between the men of Israel and the ambush⁴ that when they should send up a signal-smoke from the city, 39. the men of Israel should turn in battle. Now Benjamin had begun [as we said] to make slaughter among the men of Israel about thirty men: just when they said, we have surely beaten them again as in the first battle, 40. the fire-signal began to rise from the city, a column of smoke; and Benjamin looked back and saw the whole city going up in flames heavenward. 41. Then the Israelites turned about and the Benjamites were in dismay, for they saw that disaster had overtaken them.

¹ The reading סביר is suspicious.

² On this see below.

³ Even if the reading of MT מנגד is retained, we must think of the main army as on one side, the ambush on the other, opposite, side of Gibeah.

⁴ הרב is to be omitted as a dittograph.

It is in this section that we get our first clue for the unraveling of the literary problem. The statement that the Benjamites thought, when they had killed about 30 men, that they had beaten them as badly as on the first day (vss. 31, 39), gives us a clue for the criticism of the figures in this chapter. It proves that the huge figures were not part of the original story. It is an indication that *the chapter has been worked over by someone who made the forces far larger than they had been in the old story*. Of course, to a writer of religious stories historical improbabilities are as nothing. So the historical consideration that a campaign on such a scale could never have taken place is not decisive in the question of literary composition. To a writer of fairy tales huge numbers are most acceptable. But when in the course of a story which had dealt with thousands and hundreds of thousands we come upon the number 30 it startles us, it is so small! And how after killing 30 men the Benjamites can at once come to the conclusion that they have beaten their opponents as badly as on the first day, when they killed 22,000 men, is strange indeed. It is evident that the writer who reveled in thousands left here unwittingly a number which is altogether out of proportion by its smallness. And we are therefore justified in saying that the account, as we have it now, is evidently based on an older, less exaggerated, and more natural account. In other words, the huge figures are the work of a later hand; they were not an original element of the older story.

Another such telltale mark is in vss. 15, 16: *And the Benjamites mustered on that day from the cities 25,000 (𐤁) fighting men, not including the inhabitants of Gibeah; they mustered 700 young warriors. Of all this force 700 young warriors were left-handed, every one could sling a stone at a hair line and not miss.*

The figure 700 attracts our attention. It occurs twice. Certain Greek texts have it only once, for they do not have vs. 16aa. Moore says "on grounds merely of transcriptional probability we might be inclined to think that the clause had fallen out by *homoeoteleuton* (Clericus): but the intrinsic probability is here strongly in favor of the shorter reading."¹ He omits therefore, *of all this force 700 young warriors* as secondary. And he translates vs. 15b, *besides the inhabitants of Gibeah who mustered 700 young warriors*. But there is no

¹ SBOT, p. 69.

relative clause, the literal translation is, *not including the inhabitants of Gibeah they mustered 700 young warriors*. Who? Evidently the Benjamites from the other cities! But that was not enough for our later editor, so he inserted *25,000 fighting men*. What difficulty the figure 700 presented to him is clear from vs. 16. Moore, it is true, omits besides *of all this force 700 young warriors also left-handed*. He says "it is scarcely likely that he [the author] meant to represent the whole corps as left-handed."¹ Budde has already pointed out that it is scarcely likely that the author would make slingers of *all* the Benjamites. This argues against the omission of vs. 16a. The reading of vs. 16 as in MT is therefore correct and the omission of part of vs. 16a by G^{MSS} is due to homoeoteleuton. The verse bears eloquent testimony to the difficulty which the 700 of the old story caused to the later writer. There are two attempts to account for it; according to the one the inhabitants of Gibeah numbered 700, according to the other the 700 were a special élite troop of slingers.

Further evidence of the validity of our criterion is furnished by its application to vs. 10, where the clue works remarkably well in explaining the origin of the strange episode. As the text stands, "we are to imagine 360,000 men sitting down within an hour's march of Gibeah, while 40,000 foragers scour the country for provisions" (Moore). How could anybody compose such a strange tale? "These absurdities" disappear as soon as we assign to the Israelitish forces a number which is in true proportion to the 700 Benjamites. Then this item is quite significant, for we must remember that the Israelites came from their homes without special provisions. They were unprepared. Many might have been inclined to go home first and get ready for war, but this is voted down; it was emphatically declared that none of them should go home, they were to march against Gibeah directly. And for foragers they set apart one out of every ten. To assume that this tenth would be excluded from active service is unwarranted, and why it should be "not altogether natural" (Moore) to choose by lot those who were to look for provisions is difficult to see, since there was no regular commissariat and this method was in line with common practice. The fact that the passage yields admirable sense and is full of significance, when it is recognized

¹ *Commentary*, p. 431.

that the immense numbers are due to a later hand, while it is utterly absurd as it stands, shows that the contention that there underlies the story an older, more historical account is really well founded. We assume that the old story had in vs. 16 only, *and we will take ten men out of a hundred to secure provisions for the people that have come to do¹ to Gibeah etc.*

The thousands and ten thousands are to be credited to the later hand.

There are two other figures where the addition of *thousand* can be made plausible by a critical observation of the story itself. They are the 22,000 in vs. 21 and the 18,000 in vs. 25. We saw before, when Benjamin had killed 30 Israelites, they thought that they were beating them as decisively as on the first day. From this it seems reasonably sure that the old story had 22 instead of 22,000 in vs. 21, and 18 instead of 18,000 in vs. 25. There is another point which argues for this. The term **כבראשנה**, *as at first*, in vs. 32 which is made more definite in vs. 39 by **כמלחמה הראשנה**, *as in the first battle*, argues for two battles or for two days of battle only, not for three days, as our present text has it. Vss. 19–28, which describe now two days, described originally only one day. The confusion has come in through the insertion of vs. 23, which is clearly a later interpolation (so also Moore). Vs. 22 shows that the Israelites rallied directly after the initial defeat in which they lost 22 men and formed their battle-line again in the same place as at first (read **בראשנה**). They proceeded to attack Gibeah again (omit **ביום השני**, *on the second day*, vss. 24, 25, which is due to vs. 23), but were defeated again, and lost 18 men. That means that they lost 40 men that first day. So when the Benjamites killed about 30 on the next day, they thought that they were beating them again as in the first battle.

The clue is evidently working, but it must not be overworked by applying it *in the same manner* to all the figures. It would surely be tempting to assume that instead of 400,000 Israelites (vss. 2, 17) there were originally only 400. This would be in proportion to the 700 Benjamites as well as with other figures from this period, e.g., 600 Danites of chap. 18, and it would account for the initial defeat of Israel since the Benjamites were in the majority. But there is no

¹ Read **לפגועם לעשות**.

such evidence for 400 Israelites as one of the data of the older story as for the 30 and 700, though its probability may be considerable. If the old story had 400, that would account for the 400,000, for the later writer liked to add *thousand* to the figures as we saw in vss. 21, 25. The number 25,000 (or 26,000) for Benjamin would then easily be accounted for as due to the writer's estimate that 25,000 Benjamites was the proportionate figure for this smaller tribe, if the other tribes numbered together 400,000 fighting men.

It would be a mistake to regard the figures in vss. 35, 44, 45, 46 as derived from the older source and to think that by simply omitting *thousand* we could get the original figures. The figure 25,100 is so clearly gotten by computation of the data of vss. 15, 16, and 47; the figures in vss. 44–46 are so clearly an attempt to get 25,000; and the omission of *thousand* is so impossible in vs. 45 that we have to recognize here the later hand which inserted these elements.

In the light of this observation we can reconstruct the text of the original source in vss. 35, 42–48 with practical certainty by omitting the later elements, vss. 35aβb, 44, 45aa, 46.

35. And Yahweh gave Israel the victory over Benjamin. 36. And when the Benjamites saw that they were defeated, 42. they turned before the men of Israel in the direction of the wilderness; but the battle clung to them. And they that came from the city¹ made havoc with them in the midst,² 43. for³ they had surrounded Benjamin; and they pursued them as far as opposite Gebah,⁴ eastward. 45.⁵ And they gleaned them on the highways, and pursued them until they had cut them down.⁶ 47. And there turned and fled to the wilderness, to the Rock of Rimmon, 600 men, and they abode on the Rock of Rimmon four months. 48. But the men of Israel returned to the (other) Benjamites,⁷ and put them to the sword, both man⁸ and beast, everything that was there, and all the cities there were they burned.

¹ Read העיר for הערים with 5M, Moore.

² Read בתוך with Moore.

³ Insert כי, which had been omitted by haplography.

⁴ היריבהו ער נכח and היריבהו ער נכח are variant readings. The original read most probably ער נכח. For Gibeah read Gebah, with Moore.

⁵ Torrey has suggested, convincingly, that the words of vs. 45aa were "accidentally repeated from v. 47a, where they belong, the error being occasioned by the preceding חיל כל אלה אנשי חיל. vv. 44b, 46b" (Moore, *SBOT*, p. 71).

⁶ Point גִּדְעָם; cf. 21:6.

⁷ Who had not escaped to the Rock of Rimmon.

⁸ Read מעיר מִחָם, the male population.

There is no reason why these verses should be assigned to another source than the one whose description of the battle we have in vss. 30–41. They are the direct, logical, and clear continuation of vss. 30–41, and aside from the interpolations of the large figures there is nothing that indicates a later, different, or composite origin for them. Moore acknowledges that “something of this sort [as told in vs. 48] seems to be presupposed in 21:18 ff.,” but he asserts that vs. 48 “in its present form is undoubtedly late.” As proof for this (?) he says in the critical note, “the phrase [מֵעִיר בָּתָּחִים] is borrowed from Deut.” Was it also borrowed from Deut. by Job 24:12? Since there is no other trace of Deut. in these chapters, the statement cannot be made so categorical. Why vss. 42b, 43 should be “undoubtedly an addition by the later writer,” Moore does not say; Budde says of vs. 43 “wohl,” Nowack “probably.” I cannot discover any real reason for it, especially when the text is reconstructed as above.

Now we may go one step farther, and say, *the interpolator of the large figures was also responsible for the idea that all the tribes were gathered in common war against Benjamin.* (20:1, 2; 21:1–14, 24.) *The large figures are simply a part of that idea.*

The proof of this is found especially in 21:15–23 which contain the rape of the virgins of Shiloh and which are almost universally recognized as a part of the old story. Before going into this point however we must consider a few matters of text and composition in connection with these verses. In vs. 16 the later hand is seen in the phrase *the elders of the congregation*. It is more probable to suppose that the old source had *the elders of the people* (הַזִּקְנִים) which the editor changed into הַזִּקְנִים, than that the editor wrote either the first half (Moore) or the whole verse (Budde), for vs. 22 shows that the old source presupposes a court of appeal, i.e., the elders. *Those that were left* refers then to the survivors of the battle.¹

Both Moore and Budde maintain that vs. 16 (Moore vs. 16a, Budde the entire verse) is superfluous before vs. 17. But that is

¹ Cf. Moore's footnote on p. 449. Just why “the language is not favorable to the supposition” that vs. 16a, “with the exception of the words, *the elders of the congregation*,” is part of the original narrative is not specified. Is it because the sentence occurs also in vs. 7 which comes from the late editor? If that is the reason, it should be observed that the editor does in vs. 7 what he does in vs. 1, he takes his point from the early narrative, to which he is constructing a parallel.

true only of their reconstruction of vs. 17. Moore reads for *ירשת* either *אֵיךְ תִּשָּׂאֲרָה*, *how shall (a remnant) be left* or, preferably, *אֵיךְ תִּנָּשָׂרָה*, *how shall (a remnant) be saved*; Budde: *נִשְׂאָרָה*, *we will leave over*. Then, of course, the question in vs. 16 is superfluous. But these proposals are precarious.¹ Ehrlich translates *ירשת* *פְּלִיטָה לְבִנְיָמִן*, *a rape for the purpose of preservation be [permitted] to Benjamin!* For this meaning of *פְּלִיטָה* he compares Gen. 45:7. *ירש* he takes in the general sense of taking possession of something by force. This seems to me the best suggestion that has thus far been made. It is in line with the whole context and, if adopted, obviates Moore's and Budde's difficulty in vs. 16. Vs. 19a is commonly regarded as a topographical gloss describing the location of Shiloh (cf. the gloss *Shiloh which is in the land of Canaan*, vs. 12). As the text stands, the Israelites are conferring among themselves in vs. 19; they do not speak to the Benjamites till vs. 20. The definition of the location of Shiloh in this connection is, to say the least, uncalled for, since every one of them knew it very well. But it is clear that the place to which the Benjamites should go must have been mentioned in vs. 20, and it seems to me very likely that the topographical note stood originally after vs. 20 and defined the precise location of the vineyards of Shiloh where the yearly festival took place. Under the circumstances such a topographical note was necessary. While the note is at least superfluous in vs. 19, it assumes thus real significance after vs. 20.

The difficulties of vs. 22 have been solved by Ehrlich with whom we must translate, *And if their fathers or brothers come to complain with us, we will say to them, Spare them for our sakes,² for we have robbed each one of his wife in war,³ for you yourselves have not given them to them, that⁴ you should feel guilty.* The war referred to here is the war against Gibeah not against Jabesh, as Moore thinks who is

¹ Moore characterizes his own proposal as "a precarious conjecture" (*SBOT*, p. 72).

² Free translation. Literally, *favor us with them*, i.e., *give them to us*; cf. *BDB*, p. 336, 1a.

³ Read *לֹא הָלַא* for *לֹא הָלַא*, *for did we not rob . . . ?* So *GLM* (cf. Moore), which do not translate the negative.

⁴ Read *כִּי עָתָה* for *כִּי עָתָה*. Moore's readings, *לֹא* for *לֹא* and *כִּי עָתָה* for *כִּי עָתָה*, are perhaps preferable, *for if you had given them to them, you would now be guilty*; or if not both, at least the second, *כִּי עָתָה*, *for you have not given them to them, else you would be guilty*.

thereby forced to regard the clause, which he translates, *because they did not each get a wife in the war*, as an insertion of the late editor.¹

Vs. 24 is assigned to two sources, by Budde, vs. 24b to A, following originally directly vs. 14aa; vs. 24a to C. But Moore has already shown that vs. 24b is not parallel to vs. 24a, but adds something to it, they return by tribes and clans to their respective territories, and finally disperse to their individual possessions. The verse is not composite but belongs to the late editor.

Vs. 25 is by the same redactor as 17:13, 19:1.

Now we can return to our argument that the interpolator of the large figures was also responsible for the idea that all the tribes were gathered in the holy war against Benjamin.

The significant point for our purpose in this story is the fact that the virgins are from a town on Mt. Ephraim, i.e., from the territory in which the man lived to whom the wrong had been done. This limitation of the range from which the virgins are taken substantiates our observation in connection with chap. 20 that the old story did not speak of all tribes. Here we see that it was originally an affair of the tribes on Mt. Ephraim only. They had agreed not to intermarry with Benjamin any more.² This does not necessarily presuppose the existence of a prohibition of intermarriage with foreign nations, but simply illustrates the ancient custom of marrying

¹ So in *SBOT*; in his *Commentary* Moore assigns the whole verse to the later writer. Budde attempts to explain the difficulties of the text as due to the compilation of two sources, B and C. But even if his argument were cogent we should think of a conflation of two variant readings rather than of a compilation of two sources.

² An interesting parallel is given by Doughty, *Arabia Deserta*, II, 114: "'Okilla, a slave of Mārhab, the Emir of ancient Kheybar, had gathered a remnant of his villagers and was become their sheykh. One year when the Annezy passed by with their cattle, they pitched by the (friendly) Kheybar valleys, as in a place of much water. A maiden of the Aarab entered Kheybar to see the daughters of the town: and there a young man was wounded with her love, who enticed the gazing damsel and forced her;—he was the sheykh Okilla's son! The poor young woman went home weeping;—and she was a sheykh's daughter. This felony was presently reported in the nomads' menzill and, 'It was not to be borne that a virgin should suffer violence!' said all the Beduw.

The Annezy sheykh sent to require satisfaction from the sheykh of Kheybar; who answered them shortly that the Annezy should no more water there. On the morrow the town sheykh, Okilla, rode to the nomads' menzill, with a few horsemen, and defied them. The Beduw set furiously upon them; and Okilla fell, and there were slain many of his people. The Beduw now overran all; they conquered the villages, and bound themselves by oath not to give their daughters to the Kheyābara forever. [Italics are mine.] 'Thenceforward the Kheyābara took bond women for wives; and at this day they are become a black people.' The Beduw left the villagers to husband the palm valleys, for the half fruits with them; and removed in the wilderness."

within the tribe or with friendly tribes.¹ It illustrates the close connection between the tribes on Mt. Ephraim, just as it is also in line with the striking isolation of Judah in early Hebrew history; else the Benjamites who adjoin Judah might have taken Judean wives.¹

This observation makes against Budde's suggestion of assigning the Jabesh story in vss. 1-14 to two narrators: to A, vss. 1, 6-8, the first two words in vs. 10 and vss. 12-14^a; to C, vss. 2-5, 9-11. According to A there was no other punishment for the non-participation of Jabesh in the war against Gibeah than the forcible taking of all their marriageable girls. C alone spoke of the holy war against Jabesh and the extermination of all inhabitants except the 400 virgins. It may be admitted that this exceedingly keen and attractive analysis removes the most obviously late and unhistorical part of the story, but even the verses which are assigned by Budde to the older narrative assume a combination of all the tribes of Israel in this matter which the older narrative did not. Since this is the case, is there still any reason left for assuming a compilation of two sources in vss. 1-14? Is not the very purpose of this compilation theory to distinguish an earlier, more historical, from a later, fanciful story? Still, even if this purpose is defeated, the analysis into two elements might yet be justifiable, and we might trace two late strata of the Midrashic part.

Our first duty in such a case is to see whether the text as it stands yields sense or whether it bears in itself the marks of compilation. The statement that the Israelites at the beginning of the war had sworn not to give their daughters in marriage to the Benjamites is put at the beginning because everything else depends on it. After the virtual annihilation of Benjamin the reversal of feeling sets in and causes weeping and complaining about Yahweh's "mysterious providence." The extermination of a tribe was indeed no insignificant matter. Why had Yahweh allowed it to come to pass? After the sacrifices had been brought on the next day,² the people hit upon

¹ *Per contra* it makes for the originality of the statement in 19:1 that the man from Mt. Ephraim was a Levite who was *sojourning in the remote parts of Mt. Ephraim*. He had gotten his wife in Bethlehem in Judah which had very likely been his home before he went to sojourn in Mt. Ephraim, as the Levite of chaps. 17, 18. He appealed of course to the tribe among which he was living as a *gër*.

² *And they built there an altar* is certainly not original in the text, for 20:26 shows that they had sacrificed there the day before. Moore's rejection of the whole verse because of this phrase is unnecessary.

a solution of the difficulty. It is not presented as such directly, but it turns out eventually to be such. They had sworn at Mizpah that anyone not joining in the war against Benjamin should be put to death, and so they now inquire, who of all the tribes had not joined them? The question is not prompted by the desire to find a way of helping Benjamin. It is important to notice this. That motive is not woven in until the question has been put. Only from that point on we have two motives, the motive of punishing the recreant tribe and the motive of helping Benjamin at the same time. After this new motive is stated (vss. 6, 7), the author turns back to the question which is now repeated with double significance (vs. 8^a). It is found that Jabesh in Gilead had not joined the tribes in this holy war. Vss. 8 and 9 appear to be variant readings. From this point on the story is smooth,¹ the double purpose, of punishing Jabesh for her disobedience and of helping Benjamin at the same time, is accomplished.

We are thus able to account for the repetition of the question in vss. 5 and 8. If however it were insisted that one of the two be omitted as a gloss, it should be vs. 8 rather than vs. 5 because vs. 5b is essential for the understanding of the following. Without it the slaughter of the Jabeshites is an act of unreasonable cruelty. Budde is here more consistent in omitting (by way of assigning to another source) not only vss. 4, 5 but also vss. 9-11. And indeed if we are to assume a compilation, the analysis must be affected on the basis of the two distinct motives, and in that case we should assign vss. 4 (?), 5, 9-11 to one source² and the rest of the verses to another. This is certainly plausible; is it also necessary? If we had to do with the older narrator the awkward style, with its repetitions (compare vs. 3 with vs. 5a; vs. 5b with vs. 8), would speak for it. But as Moore says, in arguing for the retention of both vs. 8b and vs. 9, which I should much rather regard as variant readings, "such circumstantiality is the delight of late writers."³ The awkwardness of the style may therefore be due to the weaving together of the two distinct motives, as explained above; and since the motives themselves are both in accord with the thought of the later writer it is surely a serious question whether it is necessary to assume the

¹ Only vs. 12c to *Shiloh in the land of Canaan* is a redactional link.

² Budde's analysis includes for C also vss. 2, 3.

³ *Commentary*, p. 446.

presence of two different hands. If we do, we must insist that neither is historical or old. If vss. 4, 5, 9-11 are an interpolation, they must, at least in part, be due to the desire to explain how the Israelites could get the 400 virgins from Jabesh. Such an explanation was necessary, for the Jabeshites could hardly have been willing to give up 400 virgins without any ado. Now just here is our difficulty, the explanation is so much of the same type of reasoning as characterizes the interpolations of chap. 20 that we must assign it to the same interpolator. If the other verses were part of the old source, we would not have this difficulty. But this is, as we saw, not likely. We should have to assume another earlier source, as Budde indeed does, but this is not easy for us, since we have not found any traces of the second old source in chap. 20, and the evidence for such a source in these verses of chap. 21 is too meager.

The only alternative to regarding the theocratic editor as alone responsible for 21:1-14 is the theory which assumes the presence of another late hand. This might then reasonably be extended into chap. 20, where the late hand that wrote 21:2-5, 9-11¹ would be responsible for 20:18, 23, 27b, 28aa.

Only one point remains to be discussed, 20:1, 2. Moore regards the words, *then all the Israelites went out [to war] to [the sanctuary of] Yahweh at Mizpah*, as part of the old source, the rest of the verses he assigns to the late writer. This is more plausible than Budde's suggestion of three sources for vs. 1 and in addition to the late source for vs. 2 an insertion by someone else in vs. 2b. On account of vs. 3a I prefer a slightly different solution from Moore's. The whole of vss. 1, 2 appears to me to be the work of the late writer. Vs. 3a comes too early as it stands, but it read most likely in the old source, *And when the Israelites heard it they went up to Mizpah and said: וישמעו ויאמרו ויעלו בני ישראל המצפה*. That is, the old narrative joined this verse directly on to 19:30. When 20:1, 2 had been inserted, a subject was added to *וישמעו*, as so often elsewhere, since this could not be the Israelites, it had to be the Benjamites. This insertion necessitated the slight change of *ויעלו* into *כי עלו*, and the insertion of *בני ישראל* after *ויאמרו*.

¹ We should then join vss. 2, 3 with vss. 4, 5 (with Budde); cf. the parallel vs. 6.

The result of our investigation into the composition of chaps. 19-21 is this: the story is not a compilation of two, much less of three, parallel, originally independent sources, but is derived from one old, in the main reliable, source, which was worked over by a late theocratic editor. It is not improbable that a still later annotator imbued with the same spirit as the editor inserted a few characteristic interpolations. The final proof of the correctness of this solution lies in the fact that after the removal of these later elements,¹ which are easily recognized by their common characteristic of exaggeration, there remains a story, coherent, logical, and on the whole historically reliable.

¹ These later elements are in 19:29 (*into twelve pieces*), 20:1, 2, 10 (*for all the tribes of Israel, and 100 for 1,000, and 1,000 for 10,000*), 12 (read *בני ישראל* for *שבטי י*, and *שבט ב* for *שבטי ב*), 15 (*26,000 fighting men*), 16, 17, 18, 21 (*thousand*), 22 (*on the day*), 23, 24 (*on the second day*), 25 (*on the second day, and thousand*), 27b, 28aa, 30 (*on the third day*), 34 (*10,000 young warriors picked from all Israel*), 35 (*25,100 men, these were all valiant soldiers*), 44, 45a (*except and they gleaned them on the highways*), 45b8, 46; 21:1-14, 24, 25.